



General Assembly

***Substitute Bill No. 6526***

*January Session, 2003*

***AN ACT CONCERNING PROFESSIONAL BAIL BONDSMEN AND BAIL ENFORCEMENT AGENTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-145 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Any person desiring to engage in the business of a professional  
4 bondsman shall apply to the Commissioner of Public Safety for a  
5 license therefor. Such application shall set forth under oath the full  
6 name, age, residence and occupation of the applicant, whether the  
7 applicant intends to engage in the business of a professional bondsman  
8 individually or in partnership or association with another or others,  
9 and, if so, the identity of each. It shall also set forth under oath a  
10 statement of the assets and liabilities of the applicant, and whether the  
11 applicant has been charged with or convicted of crime, and such other  
12 information, including fingerprints and photographs, as said  
13 commissioner from time to time may require. The commissioner shall  
14 require the applicant to submit to state and national criminal history  
15 records checks. The criminal history records checks required pursuant  
16 to this section shall be conducted in accordance with section 29-17a.

17 (b) No person who has been convicted of a felony or has been  
18 convicted, within the preceding seven years, of any misdemeanor  
19 under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96,

20 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d or any offense in any  
21 other state the essential elements of which are substantially the same  
22 as such misdemeanor, shall be licensed to do business as a professional  
23 bondsman in this state. No person who has been discharged from the  
24 military service under other than honorable conditions shall be  
25 licensed to do business as a professional bondsman. No person  
26 engaged in law enforcement or vested with police powers shall be  
27 licensed to do business as a professional bondsman.

28 (c) An applicant for a license under this chapter shall be at least  
29 twenty-one years of age and have a high school diploma or a high  
30 school equivalency diploma. A license may only be issued to a legal  
31 resident of the United States. Each applicant shall attend a prelicensing  
32 training course offered by the Commissioner of Public Safety.

33 Sec. 2. Section 29-146 of the general statutes is repealed and the  
34 following is substituted in lieu thereof (*Effective October 1, 2003*):

35 The Commissioner of Public Safety shall, upon receipt of such  
36 application, cause an investigation to be made of the character and  
37 financial responsibility of the applicant and, if [he] the commissioner  
38 finds that such applicant is a resident elector of good moral character  
39 and of sound financial responsibility, [he] and a suitable person to  
40 receive a license as a professional bondsman, the commissioner shall,  
41 upon payment by such applicant to the state of a license fee of one  
42 hundred dollars, issue a license to such applicant to do business in this  
43 state as a professional bondsman. The fee shall not be refunded if the  
44 application is denied or the applicant cancels the application or fails to  
45 provide all necessary information. Each such license shall be for such  
46 term not exceeding one year as said commissioner determines. A  
47 professional bondsman holding a license issued pursuant to this  
48 chapter shall notify the commissioner within two business days of any  
49 change of address. The notification shall include the professional  
50 bondsman's old address and new address.

51 Sec. 3. Section 29-147 of the general statutes is repealed and the

52 following is substituted in lieu thereof (*Effective October 1, 2003*):

53 (a) Each professional bondsman licensed under the provisions of  
54 this chapter may apply for a renewal of [his] the license [upon] on  
55 renewal application forms provided by the Commissioner of Public  
56 Safety. [and requiring] Such forms shall require the disclosure of such  
57 information as said commissioner requires in determining whether or  
58 not such professional bondsman's financial responsibility remains  
59 unimpaired or whether for any other reason such bondsman's [fitness]  
60 suitability to continue in such business has been otherwise altered  
61 since the issuance of any prior license. The fee for renewal of a license  
62 shall be one hundred dollars.

63 (b) Said commissioner may suspend for a definite term or revoke  
64 any license issued under the provisions of this chapter [if it appears to  
65 said commissioner that such licensee has been convicted of a felony in  
66 this state or elsewhere or is engaged in any unlawful activity affecting  
67 his fitness to continue in the business of professional bondsman or that  
68 his financial responsibility has been substantially impaired] upon a  
69 finding by the commissioner that: (1) The licensee has violated any of  
70 the terms or provisions of this chapter or of chapter 533a; (2) the  
71 licensee has practiced fraud, deceit or misrepresentation; (3) the  
72 licensee has made a material misstatement in the application for  
73 issuance or renewal of such license; (4) the licensee has demonstrated  
74 incompetence or untrustworthiness in the conduct of the licensee's  
75 business; (5) the licensee has been convicted of a felony, a  
76 misdemeanor specified in section 29-145, as amended by this act, or  
77 any other crime affecting the licensee's honesty, integrity or moral  
78 fitness; or (6) the licensee is unsuitable. The suspension or revocation  
79 of a professional bondsman's license under this section shall also  
80 constitute the revocation of any license as a bail enforcement agent  
81 issued to such person pursuant to chapter 533a and any firearm permit  
82 issued to such person pursuant to section 29-152m, as amended by this  
83 act. Any professional bondsman who fails to surrender such license  
84 within five days of notification in writing of such revocation shall be  
85 guilty of a class C misdemeanor.

86 Sec. 4. Section 29-151 of the general statutes is repealed and the  
87 following is substituted in lieu thereof (*Effective October 1, 2003*):

88 (a) No such professional bondsman shall charge [for his] a  
89 commission or fee of more than fifty dollars for the amount of bail  
90 furnished by [him] such professional bondsman up to five hundred  
91 dollars, nor more than ten per cent of the amount of bail furnished by  
92 [him] such professional bondsman from five hundred dollars up to  
93 five thousand dollars, nor more than seven per cent of the amount of  
94 bail furnished by [him] such professional bondsman on sums in excess  
95 of five thousand dollars. When a professional bondsman has furnished  
96 bail to an accused in a criminal proceeding, the fee which [he] the  
97 professional bondsman receives therefor shall be credited on account  
98 of [his] such professional bondsman's fee for any subsequent bail in an  
99 increased amount which [he] such professional bondsman may furnish  
100 for the same person in the same criminal proceeding; but this  
101 provision shall not apply to bail furnished on appeal of a conviction or  
102 bindover of an accused. Each professional bondsman licensed under  
103 the provisions of this chapter shall annually, during the month of  
104 January, on forms furnished by the Commissioner of Public Safety,  
105 report to said commissioner in detail the names of the persons for  
106 whom such bondsman has become surety during the year ended  
107 December thirty-first preceding, with the date, the amount of bond  
108 and the fee charged and paid and such further information as said  
109 commissioner requires.

110 (b) All professional bondsmen licensed under this chapter and  
111 surety bail bond agents licensed under chapter 700f shall use the  
112 services of licensed bail enforcement agents only.

113 (c) Each professional bondsman licensed under this chapter shall  
114 complete a report, on forms furnished by the Commissioner of Public  
115 Safety, each time such professional bondsman or a bail enforcement  
116 agent working for such professional bondsman apprehends or  
117 otherwise delivers into custody a principal who has defaulted on a  
118 bond. Such report shall include the name of the principal

119 apprehended, the date and time of the apprehension, the location of  
120 the apprehension, the names of all professional bondsmen and bail  
121 enforcement agents present and participating in the apprehension, the  
122 license number of any bail enforcement agent participating in the  
123 apprehension, the name and location of the police department or  
124 detention facility to which the principal was surrendered and any  
125 other information required by the commissioner. Such report shall be  
126 kept on file at the business office of the professional bondsman for a  
127 period of not less than five years, and shall be subject to inspection by  
128 law enforcement personnel for administrative and investigative  
129 purposes during normal business hours.

130 Sec. 5. Section 29-152 of the general statutes is repealed and the  
131 following is substituted in lieu thereof (*Effective October 1, 2003*):

132 Any person who violates any provision of this chapter shall be  
133 [fined not more than one thousand dollars or imprisoned not more  
134 than two years or both and his] guilty of a class D felony and such  
135 person's right to engage in the business of a professional bondsman in  
136 this state shall thereupon be permanently forfeited.

137 Sec. 6. Section 29-152e of the general statutes is repealed and the  
138 following is substituted in lieu thereof (*Effective October 1, 2003*):

139 No person shall, as a surety on a bond in a criminal proceeding or  
140 an agent of such surety, engage in the business of taking or attempting  
141 to take into custody or otherwise locating, transporting or arranging  
142 the surrender or apprehension of the principal on the bond who has  
143 failed to appear in court and for whom a rearrest warrant or a capias  
144 has been issued pursuant to section 54-65a unless such person is  
145 licensed as a professional bondsman under chapter 533, a surety bail  
146 bond agent under chapter 700f or a bail enforcement agent under  
147 [sections 29-152f to 29-152i, inclusive] chapter 533a.

148 Sec. 7. Section 29-152f of the general statutes is repealed and the  
149 following is substituted in lieu thereof (*Effective October 1, 2003*):

150     (a) Any person desiring to engage in the business of a bail  
151 enforcement agent shall apply to the Commissioner of Public Safety for  
152 a license therefor. Such application shall set forth under oath the full  
153 name, age, date and place of birth, residence and occupation of the  
154 applicant. It shall also set forth under oath a statement of whether the  
155 applicant has been charged with or convicted of crime, and such other  
156 information, including fingerprints and photographs, as required by  
157 the commissioner. The fee for applying for such license shall be one  
158 hundred dollars. Such fee shall not be refunded if the application is  
159 denied or the applicant cancels the application or fails to provide all  
160 necessary information. The commissioner shall require the applicant to  
161 submit to state and national criminal history records checks. The  
162 criminal history records checks required pursuant to this section shall  
163 be conducted in accordance with section 29-17a. Within five years  
164 prior to the date of application, the applicant shall have successfully  
165 completed a course in the criminal justice system consisting of not less  
166 than twenty hours of study approved by the commissioner.

167     (b) No person who has been convicted of a felony or has been  
168 convicted, within the preceding seven years, of any misdemeanor  
169 under section 21a-279, 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96,  
170 53a-173, 53a-175, 53a-176, 53a-178 or 53a-181d or any offense in any  
171 other state the essential elements of which are substantially the same  
172 as such misdemeanor, shall be licensed to do business as a bail  
173 enforcement agent in this state. No person who has been discharged  
174 from military service under other than honorable conditions shall be  
175 licensed to do business as a bail enforcement agent in this state. No  
176 person engaged in law enforcement or vested with police powers shall  
177 be licensed to do business as a bail enforcement agent.

178     (c) An applicant for a license under this chapter shall be at least  
179 twenty-one years of age and have a high school diploma or a high  
180 school equivalency diploma. A license may only be issued to a legal  
181 resident of the United States. The Commissioner of Public Safety shall  
182 require each applicant to provide evidence of general liability  
183 insurance coverage and insurance to cover recovery activities and

184 personal injury for false arrest, false imprisonment, libel and slander  
185 which coverage shall be in an amount not less than one hundred  
186 thousand dollars.

187 Sec. 8. Section 29-152g of the general statutes is repealed and the  
188 following is substituted in lieu thereof (*Effective October 1, 2003*):

189 (a) Upon being satisfied, after investigation, that the applicant is a  
190 suitable person to receive a license as a bail enforcement agent, and  
191 that the applicant meets the licensing requirements of [section 29-152f]  
192 this chapter, the Commissioner of Public Safety may issue a license to  
193 such applicant to do business in this state as a bail enforcement agent.  
194 [The fee for such license shall be one hundred dollars.] Each such  
195 license shall be for such term not exceeding one year as said  
196 commissioner determines. Any bail enforcement agent holding a  
197 license issued pursuant to this [section or section 29-152h] chapter shall  
198 notify the commissioner within two business days of any change of  
199 address. The notification shall include the bail enforcement agent's old  
200 address and new address.

201 (b) Each person licensed as a bail enforcement agent under the  
202 provisions of this chapter shall obtain the approval of the  
203 Commissioner of Public Safety for any trade name such licensee  
204 intends to use. No trade name that implies any association with any  
205 municipal, county, state or federal government or any agency thereof  
206 or that may tend to mislead the public shall be used.

207 Sec. 9. Section 29-152h of the general statutes is repealed and the  
208 following is substituted in lieu thereof (*Effective October 1, 2003*):

209 (a) Each person licensed as a bail enforcement agent under the  
210 provisions of [sections 29-152f to 29-152i, inclusive] this chapter, may  
211 apply for a renewal of such license [upon] on renewal application  
212 forms provided by the Commissioner of Public Safety. [and requiring]  
213 Such forms shall require the disclosure of such information as said  
214 commissioner requires in determining whether or not such agent's  
215 suitability to continue in such business has changed since the issuance

216 of any prior license. The commissioner may also require that, as a  
217 condition of the renewal of the license of a bail enforcement agent,  
218 such bail enforcement agent attend training consisting of not less than  
219 eight hours biennially. The required training shall be as specified in  
220 regulations adopted by the commissioner in accordance with chapter  
221 54.

222 (b) The fee for renewal of a bail enforcement agent's license shall be  
223 one hundred dollars.

224 Sec. 10. Section 29-152i of the general statutes is repealed and the  
225 following is substituted in lieu thereof (*Effective October 1, 2003*):

226 The Commissioner of Public Safety may suspend, revoke or refuse  
227 to renew the license of any bail enforcement agent, provided notice  
228 shall have been given to the licensee to appear before the  
229 commissioner to show cause why the license should not be suspended,  
230 revoked or refused renewal, upon a finding by the commissioner that:  
231 (1) The licensee has violated any of the terms or provisions of [sections  
232 29-152e to 29-152m, inclusive, or section 38a-660a] chapter 533a or any  
233 of the regulations adopted under section 29-152o, as amended by this  
234 act; (2) the licensee has practiced fraud, deceit or misrepresentation; (3)  
235 the licensee has made a material misstatement in the application for  
236 issuance or renewal of such license; (4) the licensee has demonstrated  
237 incompetence or untrustworthiness in the conduct of the licensee's  
238 business; (5) the licensee has been convicted of a felony, a  
239 misdemeanor specified in section 29-152f, as amended by this act, or  
240 any other crime affecting the licensee's honesty, integrity or moral  
241 fitness; or (6) the licensee is unsuitable. The suspension or revocation  
242 of, or the refusal to renew, any bail enforcement agent's license shall  
243 also constitute the revocation of the bail enforcement agent's firearms  
244 permit issued pursuant to section 29-152m, as amended by this act.  
245 Any bail enforcement agent who fails to surrender such license within  
246 five days of notification in writing of the suspension or revocation of,  
247 or refusal to renew, such license shall be guilty of a class C  
248 misdemeanor. Any party aggrieved by an order of the commissioner



249 under this section may appeal therefrom in accordance with the  
250 provisions of section 4-183, except venue for such appeal shall be in the  
251 judicial district of Hartford.

252 Sec. 11. Section 29-152j of the general statutes is repealed and the  
253 following is substituted in lieu thereof (*Effective October 1, 2003*):

254 The Commissioner of Public Safety shall furnish to all courts and to  
255 all organized police departments in the state, the names of all persons  
256 licensed as professional bondsmen under chapter 533 or bail  
257 enforcement agents under the provisions of [sections 29-152f to 29-  
258 152i, inclusive] this chapter, and shall forthwith notify such courts and  
259 all such police departments of any change in any such bondsman's or  
260 agent's status or of the suspension or revocation of the license of any  
261 such bondsman or agent to engage in such business.

262 Sec. 12. Section 29-152k of the general statutes is repealed and the  
263 following is substituted in lieu thereof (*Effective October 1, 2003*):

264 (a) Prior to taking or attempting to take into custody the principal  
265 on a bond, a professional bondsman licensed under chapter 533, a  
266 surety bail bond agent licensed under chapter 700f or a bail  
267 enforcement agent licensed under [sections 29-152f to 29-152i,  
268 inclusive] this chapter, shall notify the police department or resident  
269 state trooper for, or state police troop having jurisdiction over, the  
270 municipality in which the principal is believed to be located of such  
271 bondsman's or agent's intentions.

272 (b) Any bail enforcement agent licensed under this chapter or surety  
273 bail bond agent licensed under chapter 700f shall complete a report, on  
274 a form furnished by the Commissioner of Public Safety, each time such  
275 agent is involved in the apprehension of, or arranges the surrender of,  
276 a principal who has defaulted on a bond. Such report shall include the  
277 name of the principal apprehended, the date and time of the  
278 apprehension, the location of the apprehension, the name of each  
279 professional bondsman, surety bail bond agent or bail enforcement  
280 agent present and participating in the apprehension, the license

281 number assigned to every bail enforcement agent participating in the  
282 apprehension, the name and location of the police department or  
283 detention facility to which the principal was surrendered and any  
284 other information required by the commissioner. Such report shall be  
285 maintained by each surety bail bond agent or bail enforcement agent  
286 for a period of not less than five years and shall be subject to inspection  
287 by law enforcement personnel for administrative and investigative  
288 purposes during normal business hours.

289 (c) Each bail enforcement agent licensed under this chapter shall  
290 collect a fee from the professional bondsman or surety bail bond agent  
291 for locating and taking into custody a principal on a bond who has  
292 defaulted on a court appearance. Such fee may include travel expenses  
293 and other reasonable costs.

294 (d) A bail enforcement agent licensed under this chapter shall not  
295 collect fees or payments on behalf of the professional bondsman or  
296 surety bail bond agent or demand or collect fees of any type from the  
297 principal on a bond, any bond cosignor or any other family member or  
298 associate of the principal.

299 Sec. 13. Section 29-152l of the general statutes is repealed and the  
300 following is substituted in lieu thereof (*Effective October 1, 2003*):

301 (a) No professional bondsman licensed under chapter 533, surety  
302 bail bond agent licensed under chapter 700f or bail enforcement agent  
303 licensed under [sections 29-152f to 29-152i, inclusive] this chapter, shall  
304 wear, carry or display any uniform, badge, shield or other insignia or  
305 emblems that purport to indicate that such bondsman or agent is an  
306 employee, officer or agent of the state or any political subdivision of  
307 the state or of the federal government.

308 (b) The Commissioner of Public Safety shall design a distinctive  
309 identification card for such professional bondsmen, surety bail bond  
310 agents and bail enforcement agents with the words "Bail Enforcement  
311 Agent" thereon and shall assign an identification number to each such  
312 card. Each professional bondsman, surety bail bond agent and bail

313 enforcement agent shall carry, wear or display such identification card  
314 only while conducting investigations or attempting to apprehend a  
315 principal on a bond. Whenever attempting to apprehend a principal on  
316 a bond, each professional bondsman, surety bail bond agent and bail  
317 enforcement agent shall wear such identification card in plain sight  
318 above his or her waist and wear a jacket, shirt or vest with the words  
319 "Bail Bondsman" or "Bail Enforcement Agent" as the case may be, on  
320 both the front and the back of such jacket, shirt or vest in two-inch  
321 yellow reflective letters.

322       Sec. 14. Section 29-152m of the general statutes is repealed and the  
323 following is substituted in lieu thereof (*Effective October 1, 2003*):

324       (a) No professional bondsman licensed under chapter 533, surety  
325 bail bond agent licensed under chapter 700f or bail enforcement agent  
326 licensed under [sections 29-152f to 29-152i, inclusive] this chapter, shall  
327 carry a pistol, revolver or other firearm while engaging in the business  
328 of a professional bondsman, surety bail bond agent or bail enforcement  
329 agent, as the case may be, or while traveling to or from such business  
330 unless such bondsman or agent obtains a special permit from the  
331 Commissioner of Public Safety in accordance with the provisions of  
332 subsection (b) of this section. The permit required under this section  
333 shall be in addition to the permit requirement imposed under section  
334 29-28.

335       (b) The Commissioner of Public Safety may grant to any  
336 professional bondsman licensed under chapter 533, surety bail bond  
337 agent licensed under chapter 700f or bail enforcement agent licensed  
338 under [sections 29-152f to 29-152i, inclusive] this chapter, a permit to  
339 carry a pistol or revolver or other firearm while engaging in the  
340 business of professional bondsman, surety bail bond agent or bail  
341 enforcement agent, as the case may be, or while traveling to or from  
342 such business, provided that such bondsman or agent has proven to  
343 the satisfaction of the commissioner that such bondsman or agent has  
344 successfully completed a course, approved by the commissioner, of  
345 training in the safety and use of firearms. The commissioner shall

346 adopt regulations in accordance with the provisions of chapter 54  
347 concerning the approval of schools, institutions or organizations  
348 offering such courses, requirements for instructors and the required  
349 number of hours and content of such courses.

350 (c) Application for a permit issued pursuant to this section shall be  
351 made on forms provided by the commissioner and shall be  
352 accompanied by a thirty-one-dollar fee. Such permit shall have an  
353 expiration date that coincides with that of the state permit to carry a  
354 pistol or revolver issued pursuant to section 29-28. A permit issued  
355 pursuant to this section shall be renewable every five years with a  
356 renewal fee of thirty-one dollars. The commissioner shall send, by first  
357 class mail, a notice of expiration of the bail enforcement agent firearms  
358 permit issued pursuant to this section, together with a notice of  
359 expiration of the permit to carry a pistol or revolver issued pursuant to  
360 section 29-28, in one combined form. The commissioner shall send  
361 such combined notice to the holder of the permits not later than ninety  
362 days before the date of the expiration of both permits, and shall  
363 enclose a form for renewal of the permits. A bail enforcement agent  
364 firearms permit issued pursuant to this section shall be valid for a  
365 period of ninety days after the expiration date, except this provision  
366 shall not apply if the permit to carry a pistol or revolver has been  
367 revoked or revocation is pending pursuant to section 29-32, in which  
368 case the bail enforcement agent firearms permit shall also be revoked.

369 (d) Any professional bondsman, surety bail bond agent or bail  
370 enforcement agent who fails to surrender a firearms permit issued  
371 pursuant to this section within five days of notification, in writing, of  
372 the revocation of such permit, shall be guilty of a class C misdemeanor.

373 (e) Each professional bondsman, surety bail bond agent and bail  
374 enforcement agent issued a firearms permit pursuant to this section  
375 shall attend an annual firearms recertification course, as approved by  
376 the commissioner pursuant to regulations adopted under subsection  
377 (b) of this section. Proof of recertification shall be required at the time  
378 of renewal of the firearms permit.

Any person who violates any provision of [sections 29-152e to 29-152m, inclusive, and 38a-660a] this chapter shall be guilty of a class D felony.

386 The Commissioner of Public Safety shall adopt regulations, in  
387 accordance with the provisions of chapter 54, to carry out the  
388 provisions of [sections 29-152f to 29-152i, inclusive] this chapter.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>
Sec. 4	<i>October 1, 2003</i>
Sec. 5	<i>October 1, 2003</i>
Sec. 6	<i>October 1, 2003</i>
Sec. 7	<i>October 1, 2003</i>
Sec. 8	<i>October 1, 2003</i>
Sec. 9	<i>October 1, 2003</i>
Sec. 10	<i>October 1, 2003</i>
Sec. 11	<i>October 1, 2003</i>
Sec. 12	<i>October 1, 2003</i>
Sec. 13	<i>October 1, 2003</i>
Sec. 14	<i>October 1, 2003</i>
Sec. 15	<i>October 1, 2003</i>
Sec. 16	<i>October 1, 2003</i>

<b>PS</b>	<i>Joint Favorable C/R</i>	JUD
<b>JUD</b>	<i>Joint Favorable Subst.</i>	